



## ALEXANDRIA:

MONDAY MORNING, MARCH 18, 1861.

SENATE.—No business was transacted in the Senate on Saturday.

**THE STATE CONVENTION.**—In the Convention on Saturday, resolutions were passed in an American flag, from citizens of Norfolk county were presented and tabled. Mr. Goggins offered an amendment to the report of the Committee on Federal Relations. The Convention was addressed by Mr. Randolph in opposition to the Peace propositions.

**VIRGINIA LEGISLATURE.**—The Senate on Friday passed a number of local bills. The House of Delegates passed the bill for the sale of the James River and Kanawha Canal to the French Company.

Mr. Kilby, the able and conservative delegate in the Virginia Convention from Nansemond county, recently made a speech at Nansemond Court House, in which he argued against what he believed to be the vital error of "immediate secession," and declared that the position which Virginia had, so far taken, was one of the highest dignity. Instead of suffering herself to be "hitched" on to the North, or by the counsels of impulsive and fiery spirits to be "hitched" on to the South, she still held, and it was a glorious privilege, the position of Mediator between both; and whatever others might say, he (Mr. K.) had not the smallest doubt that he would be the crowning glory of reconciling both, by a reconstruction of the Constitution, a restoration of peace and concord, and a return of prosperity and happiness throughout the borders of our republic. Would that it could be so. Would that all the patriotic hopes of Mr. Kilby could be fulfilled! All men should unite to bring it about, if possible.

A fire occurred at Thorp's Union Square Hotel building, in New York, on Friday, which destroyed the wardrobes and regalia of the Holland, Pacific, Crescent, Benevolent, and Arcana Lodges of Masons, the Metropolitan Chapter of Royal Arch Masons, Cover de Lion and Columbia Encampment of Knight Templars. The building was entirely destroyed. Total loss from twenty to twenty-five thousand dollars. A fire also occurred on Orange street, Brooklyn, on the premises of the American Hoop Skirt Company. Susan Williams, the daughter of the proprietor of the building, jumped to the ground from the fifth story, and was killed. Anna Triano was taken out of the building by the firemen in an insensible state. Her recovery is doubtful.

The Manassas Gap Railroad Company receives many undesired comments and complaints from some persons in Rockingham county. These persons talk as if it were not the duty and the interest of the President and Directors to push the work on as rapidly as possible. We have every reason to believe that the work is conducted as rapidly as it can be, under the circumstances. The President, Directors, officers and contractors, all exert themselves to go ahead. But the complainants will please to recollect the time, the difficulties, and necessity for funds. Have patience and go to work.

A debate of marked importance on the subject of the slave trade, in which Lord John Russell and Lord Palmerston participated, took place in the House of Commons on the 26th ult. Both these statesmen denounced the faithless conduct of Spain in encouraging the traffic, and sharply arraigned the Government of the United States for persisting in its refusal to submit to an indiscriminate right of visitation and search. The opinion was expressed in the course of the debate that the Southern Confederacy should never be recognized until it had given satisfactory guarantees of its purpose to abstain from the slave-trade.

Hon. Roger A. Pryor addressed a large meeting of the friends of secession at the African Church, Richmond, on Friday night. The Commissioners from the Maryland Convention were on the stand; and a delegation from Petersburg bearing the flag of the "Confederate States," a branch of palmetto and other secession devices were present and took part in the proceedings.

The Orange Chronicle says: "At a public sale in this county on Tuesday last, the prices obtained on things sold indicated that the crisis had made but little or no impression on the buying propensities of our community. Horses, cattle, hogs, sheep, corn, oats, &c., were sold at their usual high prices. Bacon brought from 12 to 15 cents per pound."

There was an enthusiastic Union demonstration in Richmond, on Friday night. The meeting was held at Metropolitan Hall, and was addressed by Maj. Jubal A. Early, from Franklin county, Waitman P. Willev, esq., of Monongalia county, George W. Brent, esq., of Alexandria, and Marmaduke Johnson, esq., of Richmond.

The Union Conservative party in Rappahannock county, at a recent meeting nominated Col. Green for the House of Delegates. Col. G. subsequently withdrew in favor of Major Turner, who was then unanimously nominated by the meeting, and accepted.

A man named Coppa, an Italian, left his wife on a wharf at New York, last week, disappeared, and has not since been heard of. He was about 40 years of age.

The Northern ultra Republican journals are not only abusing General Scott, but charging Major Anderson with treachery!

Gov. Pickens has issued his proclamation, convening the Convention of South Carolina on the 28th inst.

## NEWS OF THE DAY.

"To show the very age and body of the times."

The Charleston papers have but little to say about the evacuation of Fort Sumter. They consider it certain now that Major Anderson will, in a few days, take his departure, and the Mercury tells us that the fact has caused quite a calm among the citizens, while the "Military," who have been full of fight, are now considerably calmed down. It adds, however, that the usual vigilance is kept up at the several points of harbor defense, and by the forces ashore.

A dispatch to the New York Tribune states that there is a decided difference of opinion among the members of the cabinet on the question of evacuating Fort Sumter, which first found expression at the conference on Saturday night, when the military reports, advising the withdrawal, were submitted.

A letter in the Pensacola Observer, dated Warrington, 7th inst., states that the Confederate States troops were concentrating there in large numbers, preparatory to laying a close siege to Fort Pickens. The families are flying into the country, and preparations are being made for a severe conflict.

Gen. Ben. McCulloch, who has arrived at New Orleans, reports that Gov. Houston had left the State Capital to avoid further communication with the Convention. He would probably be deposed for his contumacious conduct.

The object of the "Pawners' Bank" proposed to be incorporated in New York, is to lend money to the poor. The charge on all loans, to cover expenses of every kind, including interest, will be uniform and not exceed one and one-half per cent. per month.

A Washington correspondent says: "Robert J. Walker has suddenly become a millionaire, by a decision in the Supreme Court, involving the title to a quicksilver mine in California, estimated to be worth millions of dollars."

Hon. John A. Dix, late Secretary of the Treasury under Mr. Buchanan, had a formal reception in the Governor's Room, in the City Hall, N. Y., on Thursday. Flags were displayed from the building in honor of the occasion.

The Millersville (Georgia) Recorder consoles itself over the prospective loss of the Border States to the Southern Confederacy with the reflection that they will constitute "a wall of protection against the felonies of the free States."

The prospects for business at Louisville, Ky., are so discouraging that many of the leading merchants of that city have published an appeal to their landlords to reduce the price of rents.

Mr. Rhett, of South Carolina, has lost two children by the scarlet fever, since the meeting of the Southern Congress, of which he is a member.

Mr. Crittenden has postponed his Eastern tour, and so notified the city government of Boston. He will travel East probably in May.

The term of Judge Wilmot, just elected to the U. S. Senate from Pennsylvania, will expire in 1863.

## VIRGINIA NEWS.

On Tuesday, the 19th of February, Mrs. Costello, a worthy and much respected old lady, living near Upperville, Va., was found lying dead in her yard. The painful circumstances of this lady's death are not fully known. Her clothes are supposed to have taken fire as she was in the act of lighting her pipe. She was altogether alone, and not being able to extinguish the flames, ran for assistance from her son, who was working near by, but perished a short distance from the house. She leaves a devoted family to mourn their heavy loss.

Richard Hadden, who was shot by McLane at Wheeling, Va., died from the effects of his wounds on Wednesday. Before his death he was informed that McLane had committed suicide, and expressed his deep regret, as the utmost good feeling, he said, had always existed between them. Both of the unfortunate young men were buried on Thursday.

John Kubank for many years a resident of Fredericksburg, died in Charlottesville, Va., on the 11th inst., aged 68 years. He was formerly a soldier in the British army, and when Napoleon was sent as a captive to St. Helena was one of the troops detailed by the English Government to guard the Emperor's last lonely prison.

Thomas L. M. Chipley, esq., qualified as an attorney, before the County Court of Hardy on Monday, the 4th inst. It is the practice of the Courts of the Commonwealth to require of an applicant to practice, to take an oath to support the Constitution of the United States, but, in this instance, Mr. C. refusing to take said oath, it was omitted.

The woolen factory occupied by Messrs. Bailey & Bowman, near Green Spring, in Frederick county, was entirely destroyed by fire on Thursday week, entailing a loss upon the worthy firm of not less than \$3,000. No insurance.

The Fredericksburg Corporation Bonds are now commanding 85 cents in the dollar. The town pays her interest promptly, and carrels the principal as fast as it matures, and has paid in the last ten years some \$120,000 of its indebtedness, which is thus reduced down to \$210,000.

Hon. John F. Harris is a candidate for re-election to Congress from the Rockingham district.

## VIRGINIA LEGISLATURE.

In the Senate, on Friday, House bill to amend the act concerning district free schools in the county of Jefferson was taken up and passed.

On motion of Mr. Carter, Senate bill in relation to a devise made by Joel Osborne to the Alexandria, Loudoun and Hampshire Railroad Company was taken up and passed.

The bill to incorporate the Southern Express company was taken up and amended in several particulars, and ordered to a third reading.

In the House of Delegates, the bill for the pay of the Commissioners to the Peace Conference as amended by the Senate was passed.

Senate bill for the relief of the Orange and Alexandria Railroad, was on motion of Mr. Barbour, laid on the table.

House bill amending chapter 108 of the Code of Virginia, concerning births, marriages and deaths, with the amendment proposed thereto by the Senate, was taken up and the amendment concurred in.

The bill extending the limits of Fredericksburg was passed.

The bill for the relief of Thos. K. Davis, Sheriff of Prince William county, was reported on adversely by the Committee on Finance.

The engrossed bill for the sale and transfer of the James River and Kanawha Canal was taken up and passed—ayes 115, noes 2.

Mr. Ward presented the petition of John A. Russell, praying relief from taxes improperly imposed, in consequence of an erroneous assessment upon certain lands in Frederick county.

The bill allowing additional compensation to the Adjutant General, for the years 1859 and 1860, was laid on the table.

## SPEECH OF GEO. W. BRENT.

OF ALEXANDRIA.

In the Virginia Convention—March 8, 1861.

[CONCLUDED.]

It is scarcely necessary for me to remark upon it. I have read it to show the *animus* of the public mind of Great Britain in relation to slavery in this country. Can you suppose, when England refuses, even under the solemn stipulations of her plighted faith to return, not alone a fugitive slave, but a criminal also, that we can hope to recover our fugitive slaves who may seek an asylum in the Northern States, after we have effected a separation from this confederacy? No. I think then, that the evil in the matter of escaped fugitive negroes will be aggravated by secession rather than diminished.

But apart from this, Mr. President, I regard secession as the doom of slavery within the Border States. Secession, in the first place, will have the tendency to promote increased facilities for escape on the part of our negroes. The insecurity of the tenure by which such property will be held in the Border States will render the emigration of slaves from these States more frequent and numerous. The owner, conscious of the insecurity of his property, will be anxious to put it in a place of safety and security.

Apart from this, Mr. President, the increased price of cotton and the negro will cause the removal of slaves from the Border States, and the vacuum thus created will be filled by persons from the North or from foreign emigration—thus introducing into the State persons who are hostile to the institution of slavery. All these causes, co-operating together, will, in a very short period of time, cause an entire exodus of slaves from the Border States of this Union. But who can tell whether disunion will come in peace or in the storm of war? I, for one, believe that a peaceful separation of these States cannot be effected. The interests are too great and too pervading to be snapped suddenly without causing irritation, bitterness, strife and civil war.

What shall become of the public domain? What shall be done in regard to the free navigation of the great rivers of the Ohio, Mississippi and the Missouri? We may declare them free rivers. But what are paper declarations worth? The experience of mankind has shown them to be worthless. Will the Northwestern States, whose territory is bounded by those great streams, in view of the greatness and magnitude of their commercial interests upon those rivers, tolerate or suffer, for one moment, the mouths of the Mississippi to fall into the hands of a foreign republic or hostile State? Will the Northwestern and Northern States, who are so deeply interested in the navigation of the Gulf of Mexico, permit the forts at Key West and Tortugas which command its entrance, to pass into the hands of a foreign power, thereby making the Gulf a *mare clausum*? But let war come, the institution of slavery will vanish from our midst. The perpetuity of that institution depends upon peace and repose. Let civil war once sound its horrid tocsin in this land, and slavery is at once ended. In those countries where there have been alternate scenes of anarchy and military despotism, as for instance in Mexico and the South American States, slavery has disappeared, leaving the institution alone remaining in Brazil and Cuba, which have been free from civil war and intestine commotions.

What do we gain, Mr. President, by secession and a union of our destinies with the Cotton States? What guarantee have we that the Southern Confederacy, which we are invited to join, will be maintained for any great length of time? Will not the same causes which have operated in the present Union to disintegrate and overthrow one of the most beautiful fabrics that the ingenuity of man has ever contrived, press with equal power, force and effect in overthrowing the new Republic? Will they not have the same effect upon the Southern Confederacy? Will not the same elements of antagonism exist and operate there? Will not the same question of the equilibrium of political power between the different sections still operate in a Southern Confederacy? If the daring Erostratus of Revolution has fired the present venerable pile of Freedom, what security have we that his desolating torch will not be lighted to consume the new temple which may be raised in its stead? If these questions are to be stifled and suppressed, who must first regenerate human nature.

"Arts fade, States fall, but Nature never dies."

The elements of destruction will operate in a Southern Confederacy with a more potent effect than in the present. In the new Confederacy the charm of the great fraternal principle, by which these States are bound together, will be dispelled. There will be no other element operating which will preserve the union.

It has been said, Mr. President, that free trade was not only one of the elements which entered into the causes which have led to a dissolution and rupture of the present Confederacy, but that the question of re-opening the African slave trade was also a potential element. May not these same questions exist within the Southern Confederacy? And say what you will, this question of re-opening the African slave trade will have a powerful effect in producing dissent and strife in their midst.

The argument made by Mr. Yancey, at the Montgomery Convention, in Alabama, and to which I have already referred, that gentleman conclusively shows that the re-opening of the African slave trade is a necessity upon the part of the Southern people. As I have already shown to this Convention, he complained, that in the Southern States there was a scarcity of labor, and he denounced that policy which compelled the Southern people to procure their negroes within the Border States. He asked the question, why was it that the people of the South were forced to go to Virginia and purchase negroes for \$1,500, when the same could be procured on the coast of Congo and Guinea for \$200? We know the fact that there are many eminent, powerful and influential men at the South who are combined together for the re-opening of the African slave trade. If it be the interest of the South to re-open the African slave trade, will they not repeal all those laws which inhibit it? It may be true, as was said by the gentleman from Harrison (Mr. Carle), that probably to no very great extent will the African slave trade ever be re-opened, for in the event of a dissolution of the Union, all the powers of the world would be combined more actively for its suppression; therefore the importation of African slavery into the Southern States may meet with a check.

But, Mr. President, you cannot stifle the promptings of interest. These questions will exist, will become elements of political consideration in the new Confederacy, and will operate with more power and potentiality in breaking up the Confederacy of the South than they have operated in destroying the present. Already have been born the coming storm. Taxation and the irrepressible conflict continue still the prolific source of discontent.

But, Mr. President, it is said that the Southern States will not encourage the African slave trade, because it would be destructive of their interests. We are told that by an additional supply of African labor the value of slave would be depreciated. What does the Southern planter care about a depreciation in the value of his negroes? He does not own the negro for the purpose of sale, or as a vendible commodity. The chief value of the negro to him is the production of cotton. Cheap negroes to him are desirable.

Mr. Yancey, in the Montgomery Convention of 1858, sincerely remarked, that a high price for negroes was a Virginia idea. The interest therefore of the planter was to produce as much cotton as possible, and at as cheap rates of labor.

But, Mr. President, we are told that if we do not enter into this Confederacy, if we do not link our destinies with the Cotton States, we will be forced to pay for our slaves on the border from sending their slaves for sale into the Cotton States.

Mr. President, can they do it? Dare they do it? Their own power, their own interests depends entirely upon the production of cotton. In order to compete successfully with the other cotton-growing countries of the world, the price of cotton must be kept down to a certain minimum price.

When it goes beyond that, the production of cotton is stimulated in the other cotton-growing regions of the world. They, therefore, cannot dispense with their labor, and are forced to have it. If they cut off the supply of labor from the border slave States, the production of cotton, which is the source of their prosperity and wealth, must necessarily decline, or else they come into competition with other cotton-growing countries.

They boast, Mr. President, that Cotton is King; they tell us that his supremacy is so firmly established that it cannot be overthrown—that his sway is so omnipotent that England, with all her antipathy to slavery, with all her instincts in behalf of freedom must bow in submission before his power.

How is this? Is it that the cotton of the Southern States is King? Are there any other countries in the world that can compete with the Southern States in the production of cotton? Why, sir, India produces already more cotton than the Southern States. The maximum product of the South in one year is four million five hundred thousand bales, and yet India produces annually six millions of bales. It is asked, why is it that England with all her efforts, has not been enabled to build up rivals in India and elsewhere to the cotton production of the South? It is because the cotton of the South, which cotton is King, is produced in India as it is in our own country, yet the cost of transportation from the cotton fields to the points whence it is to be carried to England is so great that it cannot be sent and sold to any advantage at the existing price.

But whenever cotton, grown in the Southern States has risen to 12 or 12½ cents a pound, you will find the growth of cotton in India will be extended and proper facilities for its transportation provided. In the year 1857, when cotton rose to 12½ cents a pound, the looms of Great Britain manufactured 10 per cent. of cotton not grown in the Southern States of this country. You have not only been enabled to compete with it, but it has been demonstrated that in Central America, in the Valley of the Magdalena, and in the Valleys of the Amazon and Orinoco, there are rich cotton lands yet untouched; and if the Cotton Confederacy should interpose a law inhibiting the sale of negroes from the Border States, the result would be that labor would be enhanced in value in the Cotton States, and cotton would necessarily cost more, and that India, Algeria, Central America and South America would come into competition with the Cotton States.

But, Mr. President, what are we to gain by immediate secession and by linking our destinies with the Southern States? We are told, we will join the Cotton Confederacy, we will have a great manufacturing interest within that Confederacy—that Virginia and the Border States will occupy the same relations to the Southern States which now exist between the States of New England and the States of the South. Why, Mr. President, how does this invitation to join the Southern Confederacy and these promises comport with the idea that France and England are ready to enter into treaties of alliance and commercial reciprocity with these Southern States? If they enter into these alliances with England and France, the interests of the Southern Confederacy, what will become of the promised manufacturing industry and enterprise of Virginia and the other Border States of which we hear so much? Has England ever been known to enter into an alliance of a commercial character, with any nation, that she did not require an ample equivalent for the advantages which she bestowed? If she purchases the cotton, will she not require the Southern States to buy in return its equivalent in manufactured goods? This has been the commercial system of England from the days of Cromwell down to the present. That system she has systematically pursued in all her commercial intercourse with other nations. It was the observance of this system, as was said the other day by the gentleman from Bedford (Mr. Goggins), that prevented us, in our colonial condition, from making even a home-bill. This would be very much the case with us in this new Confederacy. It is a remarkable fact, that where there is a large supply of the raw material, it has been seldom turned into the manufacturing state, the place of its production. Hence it is that the cotton of the Southern States has to be sent to New England, or across the Atlantic to England to be converted into the fabric, and in that State brought back? It is the manufacture of the raw material which gives to England the wealth she possesses. This, sir, is a part and parcel of that commercial system upon which rests the greatness and the commercial power of that country. She forces India to sell her raw material, and buy in return her manufactures. And when the cotton of the Southern States is supposed that England will foster their interests, will form alliances and connections with them, and that it is to be done at the expense of this policy, which she has always pursued, they are very much mistaken. For my part, I cannot see that there is any reason why Virginia should embark upon this unknown future of secession, and join in this Southern Confederacy.

I desire to submit to the consideration of this Convention, a few observations in regard to the amendment under consideration, which was presented by the gentleman from Amelia (Mr. Harvey), as a substitute for the resolution offered by the gentleman from Gloucester (Mr. Locke). I desire to state the reason why I cannot vote for that amendment.

I consider that amendment, Mr. President, as an ordinance of secession in disguise. I consider it, in effect, a declaration of war made by the Commonwealth of Virginia against the Federal Government. What is that amendment? It starts out with a "whereas," somewhat similar to the famous preamble in which the Congress of the United States declared the existence of war between this country and Mexico, "whereas war exists by the act of Mexico." The substance of it is in the language: "Whereas, it is now plain that it is the purpose of the Chief Executive of the United States to plunge the country into civil war," &c. It then goes on further, and assuming the fact of a declaration of hostilities on the part of the President against the South, asks from this Convention mandatory instructions to the Legislature to put this State in an attitude of defense, and to employ the military power and arm of the State, not only to resist the holding, taking and possessing the places belonging to the government within the seceded States, but likewise to resist all attempts to collect the revenues in these States.

I do not stand here, sir, to vindicate all the views which have been set forth in this Inaugural. I do not stand here in any sense as an apologist. Educated, as I have ever been, in that school of political philosophy, deriving its teachings from the resolutions of '76, and the report in their vindication by Mr. Madison, and regarding them as the true source of all sound political teaching, I cannot for one moment sanction all the theories contained in the Inaugural of the President of the United States. I do not desire to defend any of the measures which he suggests; I do not desire to vindicate him or his policy; but I wish to examine the terms of that Inaugural so far as we may test the correctness of the declarations contained in the preamble and resolutions, that he does intend to make war upon the States of the South.

I do not belong to that class of individuals to whom the distinguished gentleman from Halifax (Mr. Flournoy), referred the day before yesterday, who assume the position that Lincoln did not mean what he said, and that he meant to say, "What has he said? He has declared, as many of the Presidents before him—as I believe all have declared, with the exception of Madison and Monroe—that a State had no right to secede from the Union. And arguing logically upon this assumption, he comes to the conclusion that no State, by her withdrawal from the Union, is legally and constitutionally out of the Union."

Assuming, therefore, that a State is within the Union, he makes a declaration of a principle of a general character, the effect of which must necessarily be admitted by all, that it is his duty as President of the United States, to exercise the constitutional powers entrusted to his keeping, and enforce the laws of the United States enacted under the Constitution.

But does he say that he means to enforce the law and exercise his constitutional power in the States which have seceded? His declaration is, if I understand it correctly, that as far as practicable, he will enforce the laws within the States, unless his masters, the sovereign people, shall otherwise direct.

Now, what are the constitutional powers of the President of the United States, and what are his duties under the law? We, sir, who recognize the right of a State to secede, deny that he has any power within these States. We deny that he can, by virtue of any Federal authority, execute the laws of the United States within the seceded States, and therefore we advocate the propriety and the policy upon the part of the Administration to surrender to the seceded States the property within their limits, and to abandon the idea of enforcing the revenue laws. But arguing from the positions assumed by Mr. Lincoln, that these States are still within the Union, and that he must execute the laws, how is he to execute the laws? Is he to execute them according to his own will and pleasure? or must he execute them in the mode and manner pointed out by the Constitution and the laws? He can only do so according to law and the Constitution.

Now, can he execute these laws within a seceded State? These States, whether rightfully or wrongfully, have seceded and have formed for themselves a confederacy, which ought to be considered at the least, as a government de facto. They have expelled from their limits every Federal officer. There is not a man, woman or child within their limits who recognizes allegiance to the Government of the United States. They have established a Government with means and facilities sufficient to maintain its independence, and are only against the Government of the United States, but against the world. How, then, can the laws of the United States be executed by the President?

The laws can only be executed by means of the civil authority. The power of the military cannot be employed by the Executive, except as auxiliary to the civil power. Now, all the powers of the President of the United States being exercised under the laws, I ask where is the authority, according to the Constitution or any law of Congress, authorizing him to execute the laws of the United States within the limits of the territories of the seceded States, in regard to the collection of the revenue, when the civil power has ceased to exist *de facto* therein? If Mr. Lincoln should assume the power, without authority of law, and in violation of the Constitution, and should attempt to collect tribute of the Southern States, would that be of itself a sufficient ground to justify the State of Virginia to resort to immediate secession from this Union? I say not. If the President of the United States were to make an illegal, unauthorized and unconstitutional attempt to collect tribute of the seceded States, it would be promptly resisted and met by the Southern President, and by the confederated arms of the Southern States. They have power sufficient to protect and defend themselves against any such attempt. But suppose that the Executive of the United States is sustained and supported by the Congress of the United States, or by the Northern people, in furnishing supplies, and aiding and co-operating with the President of the United States in any movement which he may not on for the enforcement of the laws of the United States? What would be the result? I would say, then, that every man within the limits of the seceded States, whether they be the Cotton or the Border States, would be united in resisting such an unconstitutional and oppressive exercise of power upon the part of the President of the United States.

The civil power of the Federal Government has ceased to exist in the seceded States, and the President has no power to fill the vacancies which have occurred in the Federal offices in those States. These vacancies having occurred during the session of Congress, no power is vested in the President of the United States, under the Constitution, to fill any of them, so that there are no means now by which the President can bring the army and navy into requisition to aid the civil officer to execute the laws in these States.

Let us test Lincoln by what he has said. He says he will only enforce the laws as far as practicable, unless his masters, the people, shall otherwise direct. What have the Federal officers to do? Have they the laws within the limits of the seceded States? On the contrary, when the Congress of the United States was asked to confer this extraordinary power upon the President of the United States, to call out the militia to aid in the execution of these laws, Congress, although the Republicans were then in a majority, gained by the withdrawal of the representatives of the six or seven seceded States, refused to confer upon the President any such authority.

The lower branch of Congress has gone still further. Although the Republicans were in a majority, they passed the resolutions which were reported by the Committee of "Three" in regard to the Personal Liberty bills. These resolutions declared that these bills, passed by Northern State Legislatures, were, in their spirit and tendency, unconstitutional, and requested the Northern States to repeal them. Congress went even a step further. We have been frequently told that slavery is in danger within the States. We find that Congress passed a resolution recommending an amendment to the Constitution of the United States, declaring it beyond the power of Congress to interfere with the institution of slavery within any of the States of the Union, and then declaring that this amendment should not be altered unless by the unanimous consent of the slaveholding States. Notwithstanding that this was a Republican Congress, pledged to carry out

all the principles of the Chicago platform, and having, as I said, a majority, it yet did not attempt, in pursuance of its pledge, to repeal the laws in New Mexico, establishing the status of slavery within its limits; nor did they, in the bills organizing the territories of Colorado, Nevada, and Dakota, incorporate the proviso inhibiting slavery north of 36 deg. 30 min., which was incorporated in other territorial bills, and which was so offensive to the South. Therefore, when you take this declaration of the President, in connection with all the surrounding circumstances, with the actual impossibility existing upon his part to make an attempt any where upon the Southern States, you may well infer that the President did not mean that he intended to march an army into the Gulf States, or in any other way to coerce and subjugate them.

But, again, Mr. President, the latter part of this resolution pledges the State to resist by arms any attempt to collect revenue on the part of the Federal Government. And I say this is a declaration of war. It is an act of secession in disguise, because a collision between the State Government and the Federal Government would necessarily lead to a displacement of Virginia from her present position, an object to that part of it, for another reason: a resolution, under these circumstances, pledging the State of Virginia to resist the collection of the revenue would put it in the power of Mr. Lincoln, by the exercise of a rash, arbitrary and unconstitutional power upon his part, to plunge the country into civil war. I am opposed to trusting such great power in the hands of any one man. If such acts of Mr. Lincoln should be sustained by the Northern people, if they should be sustained by the Congress of the United States, the representatives of the people, then Virginia, with all the Border States, will present one united and determined front against the exercise of any such power.

But, Mr. President, we are again requested to vote for the substitute to the resolution because the Inaugural denies the bigness of the error of the judgment of the Supreme Court in the last part. I think this argument has been urged in consequence of a misapprehension of Lincoln's Inaugural address. It is charged that the President of the United States in his Inaugural address, has declared that the judgments of the Supreme Court of the United States have no binding validity upon the co-ordinate departments of government, or upon the people; and the idea seems to have gone abroad that the design of the President of the United States was to carry out the idea of Seward to reconstruct the judiciary of the United States, in order to place it in the power of the President of the United States. If such had been the object of the President of the United States, would he not rather, on the contrary, have attempted to have impeached to the Supreme Court of the United States the sanctity of infallibility? If he designed to impose upon this country the principles of Republicanism, and as he has the power of placing upon that bench men who represent his own opinions, would it not have been his policy to have upheld the doctrine, that the decisions of the Supreme Court were binding upon the country, and that that tribunal was the last and final resort in the arbitrament of all constitutional questions.

Mr. President, I will read a short extract from the Inaugural address of the President, and when you carefully examine its phraseology, you will find that the doctrine contained in the Inaugural, in this particular, is the same doctrine which has ever been maintained by the States Rights party of Virginia, from 1798 down to the present time; that it is not only sustained by the Virginia resolutions of '98, the Kentucky resolutions, the report of Mr. Madison upon these resolutions, but is sustained by the opinion of those to whom the States Rights party has ever looked; and is also sustained by the judgments of our own Courts. The extract from the Inaugural, is as follows:

"I do not forget the position assumed by the States, that constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions must be binding, in any case, upon the parties to a suit, as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the Government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, will not be so great as may be overruled, and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time the candid citizen must confess, that if the policy of the Government upon vital questions, affecting the whole people, is to be irreversibly fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent body."

Is not that the doctrine laid down in the resolutions of '98, which declared that each State has, for itself, the right to judge of the infraction of the constitutional compact, and the mode and measure of redress? When those resolutions were transmitted in 1798 to the Northern States for adoption, the response came back, that they recognized no such final interpretation by the States, but that by the terms of the Constitution it was lodged in the Federal Judiciary, and the report of Mr. Madison maintained that if the Federal Judiciary was the final arbiter of the rights of the States, the Supreme Court of the United States would have the power, by its judgment, to bind the co-ordinate departments of the government and the people, and the ultimate effect of which would be to concentrate in one department of the government, supreme and absolute power. When this subject came before the Supreme Court of the United States in a case from Rhode Island connected with Dorr's rebellion, it was asked, by one of the Judges, after referring to their inability to judge of political questions, who were nurtured in the principles of Hamilton and Sidney, would they consent to place their liberties in the hands of the Judiciary?

We were told the other day, that for his claim of absolute power, Charles I. was brought to the block. There is more significance in that allusion than at first appears. We find that that monarch was brought to the block in consequence of an effort, on his part, to impose doctrines on his people adverse to the liberty of the British subject which a vernal judiciary, appointed by himself, vindicated and upheld by their judgment. But we do not want to entrust to judicial power questions of such interest and magnitude.

I will refer you, Mr. President, to a short extract taken from a report made to the Senate of the United States by a distinguished Senator, a gentleman who once occupied the Governorial Chair, and whose public and private life was adorned by every virtue. I refer to James Barbour, who, in his report on the case of Matthew Lynn, who, under the sedition law, was condemned to fine and imprisonment, says:

"In times of violent party excitement, agitating a whole nation, to expect that judges will be entirely exempt from its influence, argues a profound ignorance of mankind. Although clothed with the ermine, they are still men, and carry into the judgment seat the passions and motives common to the rest of the human race. In such questions, reflect their individual opinions, which frequently betray them unconsciously into error. To balance the judgment of a whole people,

by that of two or three men, no matter what may be the official elevation, is to exalt the creature of the Constitution above its Creator, and to assail the foundation of our political fabric, which is, that the decision of the people is infallible, from which there is no appeal, but to Heaven."

The very same position was assumed by Mr. Jefferson in many of his letters—by President Jackson, in his message vetoing the Charter of the U. S. Bank, in which he denies that the Judiciary of the United States can bind the executive and legislative departments of the Government by their judgment. Mr. President, what